IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No. 721 of 2007

For Approval and Signature:

HONOURABLE MR.JUSTICE AKIL KURESHI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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RAMESHBHAI BIJALBHAI VAGHRI
Versus
STATE OF GUJARAT AND OTHERS

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Appearance :
THROUGH JAIL for Applicant.
MR AY KOGJE, APP for Respondents.

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CORAM : HONOURABLE MR.JUSTICE AKIL KURESHI

Date : 20/04/2007

ORAL JUDGMENT

1) Rule. Learned APP Shri A.Y.Kogje waives service of rule on behalf of the respondents.

2) This application has been filed by the convict through jail seeking parole leave on the ground that he wants to engage an advocate and prefer appeal against his conviction.

3) The applicant has been convicted by the Sessions Court by a judgment dated 2-11-2006 for offences punishable under Section 304 of Indian Penal Code and ordered to undergo rigorous imprisonment for a period of five years.

4) The applicant has already spent one year and four months in jail and so far he has not availed of any leave.

5) Considering the contents of the application and having heard learned APP Shri A.Y.Kogje this application is partially allowed by directing that on the applicant depositing a sum of Rs.1,000/- with the jail authority, he shall be released on furlough for a period of three weeks from 27th April, 2007. The applicant shall surrender before jail authority on completion of such leave period.

6) With these directions, this application is allowed. Rule is made absolute to the above extent.

(Akil Kureshi, J.)

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